PTO/SB/21 (09-04)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

10/520,673

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Application Number

TRANS	MITTAL	Filing Date	July 26, 2005			
FORM		First Named Inventor	Matthias Dammers et al.			
		Art Unit	3727			
(to be used for all correspondence after initial filing)		Examiner Name	Not Yet Assigned			
Total Number of Pages in This Submission 134		Attorney Docket Number	3988-045995			
ENCLOSURES (check all that apply)						
Fee Transmittal F		Drawing(s)	After Allowance Communication to TC			
Fee Attach	ed	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences			
Amendment / Re	ply	Petition	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)			
After Final		Petition to Convert to a Provisional Application	Proprietary Information			
Affidavits/declaration(s)		Power of Attorney, Revocation Change of Correspondence Address	Status Letter			
Extension of Time Request		Terminal Disclaimer	X Other Enclosure(s) (please identify below):			
Express Abandonment Request		Request for Refund				
X Information Disclosure Statement		CD, Number of CD(s)				
Landscape Table on CD						
Certified Copy of Document(s)	f Priority Remark	xs _				
Response to Miss		TO/SB/08a (1p)				
Incomplete Appl	L Cited A	art (6 Refs.)				
	Response to Missing Parts Under 37 CFR 1.52 or 1.53					
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm Name The Webb Law Firm						
Signature Aym b MM						
Printed Name Ryan J. Miller						
Date	October 27, 2005	Reg. No. 56,236				
CERTIFICATE OF TRANSMISSION / MAILING						
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:						
Signature Chris PCrais						
Typed or printed nan	ne Chris P. Craig	O	Date October 27, 2005			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NO SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Application No. 10/520,673 Paper Dated: October 27, 2005 torney Docket No. 3988-045995

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

10/520,673

Applicant

Matthias Dammers et al.

Filed

July 26, 2005

Title

METHOD FOR APPLYING A RESEALABLE POURING ELEMENT TO A CONTAINER AND CORRESPONDING CONTAINER

Art Unit

3727

Examiner

Not Yet Assigned

Confirmation No.

9744

Customer No.

28289

MAIL STOP AMENDMENT Commissioner for Patents P. O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to the requirements of 37 C.F.R. §1.56, 1.97, and 1.98, Applicant hereby submits this Information Disclosure Statement, which includes a completed Form PTO/SB/08A and one (1) copy of each foreign patent document cited therein. Copies of the United States patent references listed on Form PTO/SB/08A are not enclosed.

> I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on October 27, 2005. Chris P. Craig (Name of Person Mailing Paper) 10/27/2005

Application No. 10/520,673 Paper Dated: October 27, 2005 Attorney Docket No. 3988-045995

This application is the U.S. national phase of International Application No. PCT/EP03/07338, filed July 8, 2003, which corresponds to German Patent Application No. 102 31 063.7 filed July 10, 2002.

Some of the references identified in Form PTO/SB/08A were cited in an International Search Report (ISR) dated November 26, 2003 and an International Preliminary Examination Report dated October 20, 2004 in the underlying International Application. The references cited in the ISR and IPER are relevant for the reasons stated therein. The August 23, 2005 Notice of Acceptance of Application under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 indicates that copies of the ISR and IPER have been received by the United States Patent and Trademark Office. Therefore, copies of the ISR and IPER are not enclosed herewith.

German Utility Model No. 90 05 581 U is cited on page 3, lines 8-24 of the specification of the present application and is further relevant for the reasons discussed therein.

German Patent No. 690 21 078 T, of which an English-language abstract is enclosed, is cited on page 2, lines 14-21 of the specification of the present application and is relevant for the reasons discussed therein.

German Patent No. 692 06 903 T, of which an English-language abstract is enclosed, is cited on page 2, lines 23-27 of the specification of the present application and is relevant for the reasons discussed therein.

The remaining references listed on Form PTO/SB/08A were first cited in a German Office Action, dated March 14, 2003, and are relevant for the reasons provided therein. A copy of the German Office Action is enclosed herewith. An English-language abstract is provided for German Patent Nos. 40 14 774 A1 and 196 15 735 A1.

Pursuant to 37 C.F.R. § 1.97(b)(3), no fee is believed to be due for the submission of this Information Disclosure Statement, as it is being submitted before the mailing date of a

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first Office Action on the merits. Nevertheless, the Commissioner for Patents is hereby authorized to charge any fees which may be required to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Information Disclosure Statement are enclosed.

Respectfully submitted,

THE WEBB LAW FIRM

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PTO/SB/08a (07-05)

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Substitute for form 1449A/PTO				Complete if Known		
INFORMATION DISCLOSURE				Application Number	10/520,673	
STATEMENT BY APPLICANT				Filing Date	July 26, 2005	
			N I	First Named Inventor	Matthias Dammers et al.	
(Use as many sheets as necessary)				Art Unit	3727	
				Examiner Name	Not Yet Assigned	
Sheet	1	of	1	Attorney Docket Number	3988-045995	

Examiner Cite Initials* No.1	Cite	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	No.	Number - Kind Code ^{2 (if known)}			
	1	US- 5,209,795	05/11/1993	DeRossa et al.	
	2	US- 5,860,461	01/19/1999	Geiss	
	3	US- 4,872,571	10/10/1989	Crecelius et al.	
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FOREIGN PATENT DOCUMENTS						
Examiner Cite Initials* No.1		Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	T6
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)			or Relevant Figures Appear	L
	4	DE 19615735	10/23/1997	Ruediser HAAGA GmbH		
	5	DE 692 06 903 T2	06/27/1996	Goglio		
	6	DE 690 21 078 T2	12/21/1995	Procter & Gamble		
	7	DE 40 14 774 A1	11/14/1991	Huerauf Michael Maschf		
	8	WO 91/00826	01/24/1991	Stahlecker		
	9	DE 90 05 581.0	07/19/1990	Hoflinger GmbH		

Examiner	Date	
Signature	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document wIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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